



NATIONAL PARK SERVICE ENVIROFACTS

3/3/99

National Park Service
Hazardous Waste Management &
Pollution Prevention Team
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SPILL RESPONSE AND REPORTING

DEFINITIONS:

CERCLA: Comprehensive Environmental Response, Compensation, and Liability Act.

EPCRA: Emergency Planning and Community Right to Know Act.

RCRA: Resource Conservation and Recovery Act.

CERCLA/EPCRA Release: Any action—spilling, leaking, injecting or discharging—that results in a hazardous substance entering the environment in a reportable quantity (RQ).

APPLICABLE STANDARDS

Federal: The majority of releases from Parks will be subject to CERCLA, RCRA, and EPCRA response and reporting requirements. These requirements are listed in Title 40 of the Code of Federal Regulations (40 CFR Parts 302 and 355, and Parts 280 and 281). Parks may also be subject to reporting requirements under Clean Water Act (CWA), Toxic Substances Control Act (TSCA), Hazardous Materials Transportation Act (HMTA), and the Occupational Safety and Health Act (OSHA).

Other: Many states and municipalities also have their own release reporting requirements which should be reviewed because they can have lower reporting thresholds than the federal standards.

RCRA/CERCLA/EPCRA RELEASE

CERCLA covers releases of hazardous materials in reportable quantities (RQ) from a facility into the environment or from a vessel into waters under U.S. jurisdiction. CERCLA broadly defines a facility as buildings, structures, motor vehicles, rolling stock, or airplane. A list of CERCLA hazardous materials and their corresponding reportable quantity is provided in 40 CFR 302.4. The reportable quantity for each chemical is provided in pounds. Examples include:

- Xylene at 100 pounds
- Toluene at 1000 pounds, and
- Acetone at 5000 pounds

If a release contains a mixture of hazardous materials the RQ is calculated independently for each chemical by multiplying the total weight of the material released by the percentage of each hazardous material present in the mixture. Note that petroleum products such as gasoline and oil are excluded from this rule but are covered under the Clean Water Act and UST/AST regulations described below.



ACCIDENTAL RELEASE REPORTING

Accidental releases that meet or exceed 25 gallons of petroleum or the CERCLA RQ must be reported to the National Response Center (NRC). Additionally, releases must be reported to appropriate local emergency planning commissions (LEPC) and state emergency response commissions (SERC). Review your state's requirements to determine who must be notified.

Some Parks may experience releases that are also subject to reporting requirements under the following federal programs:

RCRA: Parks that generate and store hazardous waste must report a hazardous waste release to their regulatory agency. All hazardous wastes are also classified as hazardous substances under CERCLA and therefore, must be reported under CERCLA and EPCRA.

CWA: If a Park discharges oil or specific hazardous substances, listed in 40 CFR 116.4A, the release must be immediately reported if the discharge exceeds the reportable quantity listed in 40 CFR 117.3. Also, any oil spill is reportable if the amount released has:

- violated applicable water quality standards,
- caused a film, sheen or discoloration of the surface of the water or adjoining shoreline, or
- cause a sludge or an emulsion to be deposited beneath the surface of the water or upon adjoining shorelines.

All reportable releases of hazardous substances under the CWA are also reportable under CERCLA. One call to the NRC satisfies all reporting requirements under CWA, RCRA, and CERCLA. Parks should also determine what local and state agencies must be contacted if a release occurs.

TSCA: Parks must report releases of polychlorinated biphenyls (PCB) under TSCA. Specifically, releases that meet the following criteria must be reported:

- a spill to the environment that contains 50 parts per million or more of PCB.
- any spill that exceeds 10 pounds of PCBs by weight.

PCB spill reports must be made to the EPA regional office for your Park within 24 hours of discovery. CERCLA and CWA reporting duties also apply.

HMTA: If Parks are transporting hazardous materials as defined by the U.S. Department of Transportation they must consult the release reporting requirements listed in 49 CFR 172 if they have a spill event. DOT also publishes an "Emergency Response Guide" which identifies response actions and thresholds. The guide is available through most safety supply vendors.

OSHA: When a release of certain chemicals results in the exposure to workers OSHA standards require that the incident be reported to the nearest OSHA area office within 24 hours. The Parks should plan to report any exposure to workers.

ANNUAL RELEASE REPORTING

Parks must report all releases, accidental and controlled, in accordance with the Toxic Release Inventory (Form R) requirements listed in 40 CFR 372. The reporting threshold is 10,000 pounds per year for the chemicals listed in 372.65.

ENVIROFACTS X-REFERENCES

- Environmental Training
- Hazard Communication

RELEASE RESPONSE AND REPORTING NUMBERS

Resource	Number
1. RCRA, Superfund (CERCLA) and EPCRA Hotline	800-424-9346
2. Office of Groundwater and Drinking water (CWA)	202-260-5543
3. TSCA Assistance Information Number	202-554-1404
4. Hazardous Material Information Center (HMTA)	800-467-4922
5. OSHA, Office of Public Affairs	202-329-8148
6. The National Response Center (NRC)	800-424-8802

RELEASE RESPONSE AND REPORTING CHECKLIST

Question	Notes
1. Are you subject to Form R reporting?	
2. Ensure that the RQs for each of the chemicals used at your Park is known and documented.	
3. Do your drivers carry a DOT Emergency Response Guide in their vehicle?	
4. If PCBs are managed at your Park, assure that future releases do not exceed the RQ. If they do, report immediately.	
5. Confirm that operators of petroleum and oil storage areas understand the RQ for petroleum or oil as defined by the CWA and RCRA.	